

REMARKS

The examiner has rejected claims 1 to 6 under 35 U.S.C. 102(b) as being anticipated by Belser (Re 35,358). In response, the applicant has amended claim 1 to recite that the wings extend perpendicularly from the central portion which is mounted to the tube and that the tube is sufficiently flexible to permit the tube to bend such that the wings are movable between a first position wherein the wings are parallel to the tube and a second position wherein the wings are perpendicular to the tube. This feature is not found in any of the prior art references. In particular, the Belser reference referred to by the examiner shows a tube (item 20 in figure 1) which is clearly inflexible and incapable of bending. Indeed, item 20 is relatively thick and has ribs 21 which act as stiffeners further preventing the item from bending. No reference cited by the examiner shows a flexible tube which bends in order to move wings between a parallel and a transverse (perpendicular) orientation. Therefore, it is respectfully submitted that claim 1 as amended is not anticipated by any of the references cited by the examiner, including Belser. Claims 2 to 6, being dependent on claim 1, are therefore not anticipated by the prior art.

It is further submitted that the amended claim 1 is not obvious from the cited references. Again, Belser does not disclose a flexible tube but rather a rigid tube. Indeed, the reinforcing ribs shown in Belser's tube cause the tube to be further resistant to bending. Therefore, the Belser reference is directed away from the present invention as claimed. The wings shown in the Belser patent, indeed in all of the references found by the examiner, are movable by means of a pivotal hinge mechanism, not by the bending of a flexible tube. It is submitted that the movement of a wing by means of bending a flexible tube is not analogous to the pivotally moving wings found in the other reference since the prior art references disclose very different means for achieving the movement of the wings.

The examiner has rejected claim 8, 9, 10 and 11 under 35 U.S.C. 102(b) as being anticipated by Belser (Re 35,358). In response, the applicant has amended claim 8 to recite that the wings extend perpendicularly from the central portion which is mounted to the tube and that the tube is sufficiently flexible to permit the tube to bend such that the wings are movable between a first position wherein the wings are parallel to the tube and a second position wherein

the wings are perpendicular to the tube. As mentioned above with reference to claims 1 through 6, this feature is not found in any of the prior art references including Belser. Also as mentioned above, no reference found by the examiner shows a flexible tube which bends in order to move wings between a parallel and a transverse (perpendicular) orientation. Therefore, it is respectfully submitted that claim 8 as amended is not anticipated by any of the references cited by the examiner, including Belser. Claims 9 to 11, being dependent on amended claim 8, are therefore not anticipated by the prior art.

The examiner has rejected claims 7 and 12 under 35 U.S.C. 103(a) as being unpatentable over Belser in view of Topf (US 3,302,508). In response the applicant has amended claims 1 and 8 as indicated above. Claims 7 and 12, being dependant on amended claims 1 and 8, respectively, recites features which are not found in either Belser or Topf, namely the movement of the wing by the bending of the flexible tube. Therefore, it is respectfully submitted that claims 7 and 12 are not obvious from the cited references since the cited references taken together do not disclose all of the features of the claimed invention.

The examiner has indicated that claims 13 and 14 would be allowable if amended into independent form. In response, the applicant has added new claim 15 which is essentially a re-writing of claim 13 into independent form by reciting the features of the intervening claims including original claim 8. New claim 16 is dependent on new claim 15.

I view of the foregoing amendments and remark, it is submitted that all of the claims remaining in the application are now in condition for allowance and such action is respectfully requested. Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests that he be contacted at the number indicated below.

For the reasons outlined above, withdrawal of the rejections of record and an allowance of this application are respectfully requested.

Respectfully submitted

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Elias C. Borges

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